



DAC to IPW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

Samuel Chun-Lap Lo, et al.

Serial No. 10/756,768

Filed: January 14, 2004

Confirmation No.: 1516

Group Art Unit: 1644

Examiner: David A. Saunders

For: METHOD OF DETECTING IMMUNE RESPONSE

RESPONSE TO PETITION TO REVIVE DISMISSAL

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This renewed petition is in response to the Dismissal of the paper filed December 14, 2009 which was treated as a Petition to Revive.

The above-identified application became abandoned through failure to timely file an extension of time to a non-final Office Action mailed September 15, 2006. The applicant, through a different attorney, filed a continuation-in-part Application on January 23, 2007, which has been given serial no. 11/656,421. By way of the Official Letter mailed September 22, 2009 the applicant was informed that parent application 10/756,768 was abandoned on December 16, 2006 (three months from the mailing date of the non-final Action) and therefore it was not co-pending with the filing of the CIP application on January 23, 2007. Consequently, there was no continuity between parent application 10/756,768 and CIP application 11/656,421.

The Examiner in dismissing the Petition to Revive invited the applicant to renew the Petition to Revive and to file a Letter of Express Abandonment of serial no. 10/756,768, such a Letter of Express Abandonment is enclosed. Furthermore, the Petition fee under 37 CFR 1.17(m), for small entity, is attached along with payment of two months extension of time to extend serial no. 10/756,768, so it was co-pending with the filing of the CIP application on January 23, 2007.

04/23/2010 AWOHDAF1 00000050 10756768

01 FC:2453

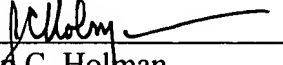
810.00 0P

A Terminal Disclaimer is not required since the applications were filed after June 8, 1995.

The entire delay in filing the required reply from a due date for the required reply until the filing of the grantable petition 37 CFR 1.137(b) was unintentional.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
John C. Holman
Reg. No. 22769

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666

Atty. Docket: P69448US0
Date: April 22, 2010

Enclosure: Letter of Express Abandonment
Two-Month Extension of Time